



Testimony in Support of Senate Bill 318

House Energy and Environment Committee

Presented by Gary Mason Deputy Secretary for Environment, KDHE

February 17, 2016

Good morning Chairman Hedke and members of the committee, I am pleased to testify in support of SB318 as it relates to the Clean Power Plan (CPP). I am Gary Mason, Kansas Department of Health and Environment (KDHE) Deputy Secretary for Environment. Much of SB318 speaks to the Kansas Electric Transmission Authority (KETA) and for this portion of the bill, KDHE offers no comment. However, SB318 does include language that helps clarify our role on CPP in the near future.

In response to the Supreme Court stay of the CPP rule, over the past week, KDHE has been slowly pulling back on its level of effort to comply with the Clean Power Plan Rule. We have reassessed the tasks we believe should continue and those that should not continue at this time.

The tasks that we believe should continue include: coordination with AG's Office, responding to requests of legislative committees, coordination with KCC, participation in meetings with Utilities, answering phone calls from the public, maintaining website and responding to website inquiries, evaluation of EPA's Model rule when published, maintaining knowledge level on issues related to Clean Power Plan by attending and participating in conferences. These tasks allow KDHE to continue to be the subject experts, which is and will remain critical in advising this body, the governor's office and AG's office.

The tasks that we believe should discontinue include: public participation meetings, holding KDHE-led stakeholder meetings, preparing an initial submittal document or state plan, continuing with modelling efforts and/or developing model assumptions and coordinating efforts with Southwest Power Pool. The main reason to suspend these tasks is Clean Power goals are no longer known. At the point the courts provide clarity, it would be KDHE's intent to re-engage the appropriate tasks.

Thank you for the opportunity to testify and we are available to answer any questions you might have.